

WILLIAM COWING.

[To accompany Bill H. R. No. 623.]

APRIL 13, 1860.

Mr. TAPPAN, from the Committee on Claims, made the following

REPORT.

The Committee on Claims, to whom was referred the memorial of William Cowing, asking to "be paid the 20 per cent. allowed clerks in the government employment," have had the same under consideration, and report:

That the claimant was employed in the Treasury Department as a clerk, substituted for Arthur Campbell, who, in consequence of ill health, was unable to discharge the duties of the office. By the 2d section of the general appropriation bill approved August 31, 1852, it is provided "that the clerks, messengers, watchmen, and laborers, employed at an annual salary or in temporary positions in the executive and legislative departments of the government, in the city of Washington, whose annual salary does not exceed twelve hundred dollars, shall, in addition thereto, be allowed an increased compensation of twenty per cent, &c.; provided that this section shall not extend * * * to any person who does not actually discharge the duties of the office for which he receives such salary," &c.

This provision took effect from and after July 1, 1852. The claimant performed the duties of clerk from July 1, 1852, to February 1, 1853, seven months, at a salary less than twelve hundred dollars per annum. He could not draw the 20 per cent. allowed by law, because another held the appointment, nor could Mr. Campbell draw it, because he did not actually discharge the duties of the office. Under these circumstances your committee have no hesitation in saying that the petitioner is legally and equitably entitled to the amount of the additional allowance, as he did the work, amounting to \$126 66, for which they report a bill, and recommend its passage.

